



## OKLAHOMA OFFICE OF WORKFORCE DEVELOPMENT

### OKLAHOMA WORKFORCE DEVELOPMENT ISSUANCE #05-2015

**TO:** Workforce Development Board Chairs  
Workforce Development Board Staff

**FROM:** Deidre D. Myers, Deputy Secretary for Workforce Development

**DATE:** July 1, 2015

**SUBJECT:** Eligible Training Provider List

**PURPOSE:** To provide instruction, guidance and establish criteria and procedures for training organizations wishing to provide training services under the Workforce Innovation and Opportunity Act of 2014.

#### REFERENCES:

- The Workforce Innovation and Opportunity Act (WIOA) Section 122
- WIOA Proposed Rules (NPRM date 4/16/2015) Section 680

**MESSAGE:** The Workforce Investment Act (WIA) required the establishment of the eligible training provider list (ETPL) to ensure informed customer choice, performance accountability and continuous improvement. WIOA expands the WIA requirements by increasing accountability and transparency through reporting and biennial review. WIOA requires that the Oklahoma Office of Workforce Development (OOWD) on behalf of the Governor and in consultation with the Governor's Council for Workforce and Economic Development, establish criteria and procedures regarding the eligibility of training providers to receive WIOA funds for the provision of training services.

#### Responsibilities

The OOWD is responsible for:

- The development , maintenance and dissemination of the State list of providers and programs
- Ensuring programs meet the eligibility criteria and performance levels established by the State
- Verifying the accuracy of submitted information
- Removing programs that do not meet established program criteria or performance levels
- Ensuring performance and cost information relating to each provider is available to the



public; and

- Finalizing approval for providers and programs recommended by the Local Workforce Development Boards (LWDB)

The LWDB is responsible for carrying out the following procedures assigned by the State:

- Reviewing new and subsequent training providers and programs of training services to ensure accurate eligibility criteria and performance information has been provided prior to submission to the OOWD for final approval
- Recommending the termination of providers due to the providers submission of inaccurate eligibility and/or performance information
- Work with the State to ensure that sufficient numbers of providers of training services have the expertise in assisting individuals with disabilities and training providers are available to assist adults in need of adult education and literacy activities
- Make recommendations for approval or denial of providers and program to OOWD through the OKJobMatch system
- LWDBs may require additional information and/or set higher levels of performance for providers to become or remain eligible to provider services in their particular area.

Providers of initial training services are identified within three categories:

- **Category 1:** An institution of higher education that provides a program that leads to a recognized post-secondary credential;
- **Category 2:** An entity that carries out programs registered under the Act of August 15, 1937 (commonly known as the “National Apprenticeship Act”; 50 Stat. 664, chapter 663l 29 U.S.C. 50 et seq.); or
- **Category 3:** Another public or private provider of a program of training services, which may include joint labor-management organizations, and eligible providers of adult education and literacy activities under Title II if such activities are provided in combination with occupational skills training.

A provider described as either a Category 1 or 3 provider must comply with the criteria, information requirements, and procedures established under this WIOA Section 122 and this policy to be included on the list of eligible providers of training services. Category 2, Apprenticeships, are exempt from initial eligibility procedure and shall be included and maintained on the list of eligible providers for so long as the corresponding program of the provider remains registered as a registered apprenticeship program.

### **Transition of Training Providers**

The WIOA ETP requirements go into effect July 1, 2015. In order to facilitate implementation of these requirements, existing training providers and programs eligible under WIA on June 30, 2015, may continue to be eligible to provide training services through December 31, 2015. On November 17, 2015, these transitioning providers will automatically be placed into the subsequent eligibility queue in Oklahoma Job Match. Providers will be required to update program and performance levels for review by Local Workforce Development Boards (LWDBs)

by January 15, 2016. Transitioning providers and programs approved by LWDBs will then be reviewed by the OOWD in OKJobMatch to ensure complete information has been provided and subsequent eligibility requirements as outlined in this policy have been met. Transitional training providers must meet the subsequent eligibility requirements as described below.

### **Initial and Subsequent Eligibility Requirements**

Initial eligibility for all new training providers under WIOA begins July 1, 2015. New providers may seek initial eligibility electronically through the LWDBs and, if approved by OOWD, will remain eligible and listed on the ETPL for only 1 year for a particular program. After the first year if the provider/program meets subsequent approval requirements, continued eligibility will be reviewed every two years. The criteria and information requirements established by the OOWD establish that a provider and/or program not previously eligible under this section provide verifiable information pertaining to:

- Program specific performance information
- Description of each program of training service to be offered
- Program-specific performance information as outlined in this policy
- A description concerning whether the provider is in a partnership with a business;
- Other factors that indicate high-quality training services leading to a recognized post-secondary credential; and
- Information addressing the alignment of the training services with in-demand industry sectors and occupations, to the extent practicable.

For the subsequent eligibility determination process, the following factors must be considered by LWDBs when electronically recommending to OOWD subsequent eligibility approval to the State:

- The specific economic, geographic, and demographic factors in the workforce areas in which providers seeking eligibility are located, and
- The characteristics of the population served by providers seeking eligibility, including the demonstrated difficulties in serving such populations, where applicable.
- The degree to which training programs relate to in-demand industry sectors and occupation within the state.
- The performance of a provider of program(s) of training services as outlined by the Oklahoma Office of Workforce Development.
- The program cost of training services.
- The involvement of employers in the establishment of skill requirements for training program.
- The impact provider performance will have on State-negotiated WIOA Performance Measures for all program participants.

Initial and subsequent eligibility will be based on verifiable performance data, programmatic and cost information.

## Performance Requirements

After the period of initial eligibility for providers has ended they will be required to meet the following performance requirements in order to remain eligible to receive WIOA funding.

- Program Completion Rate: **20% of total participants entering a program must complete the program.**
- Entered Employment Rate: **20% of total participants completing a program must become employed.**
- Wages at Placement (Hourly): **Participants must earn an hourly wage of \$7.25 in their program-related field of employment.**

**ACTION:** This policy is to become a part of your permanent records and made available to appropriate staff.

**RESCISSIONS:** This guidance rescinds and replaces Oklahoma Workforce Development Issuance (OWDI) 07-2013 dated June 28, 2013.

**INQUIRIES:** If you have any questions or concerns regarding this issuance, please contact Robyn Coman (405) 815-5322, [robyn.coman@commerce.ok.gov](mailto:robyn.coman@commerce.ok.gov) or Emmit Grayson at (405) 815-5285, [emmit.grayson@commerce.ok.gov](mailto:emmit.grayson@commerce.ok.gov). This policy is available at <http://oklahomaworks.gov/policy-center>.